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8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 No. CR 12-0482 PJH

11 v.

12 ORDER RE: EXHIBITS

13 CESAR IBARRA GONZALEZ,

14 Defendant.

15 _____ /
16 The court is in receipt of "Exhibit 1" in support of the government's opposition to
17 defendant's motion to dismiss the indictment. The exhibit, which is not attached to a
18 declaration or a request for judicial notice, fails to comply with the Federal Rules of
19 Evidence, the court's standing order, and the local rules. The court refers government
20 counsel to paragraph four of its standing order, which provides:
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22 4. CONFORMITY WITH LOCAL RULES RE: EVIDENTIARY
23 SUBMISSIONS

24 All motions and oppositions to motions shall comply with Crim. L.R. 47-
25 2(b), which requires that motions "presenting issues of fact . . . be supported
26 by affidavits or declarations which comply with the requirements of Civil L.R.
27 7-5." Civil L.R. 7-5, in turn, requires that "[f]actual contentions made in
support of or in opposition to any motion must be supported by an affidavit or
declaration and by appropriate references to the record." Moreover, **other
evidence in support of or in opposition to any motion "must be
appropriately authenticated by an affidavit or declaration."**

1 The government is ordered to resubmit its exhibit in compliance with the above **no**
2 **later than Wednesday, September 26, 2012 at 5:00 p.m.**

3 **IT IS SO ORDERED.**

4 Dated: September 25, 2012



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7 PHYLLIS J. HAMILTON
8 United States District Judge